

DMV REFORM AMENDMENT ACT OF 2004

OVERVIEW

New Provisions in Bold

\$500 FINE FOR COVERING LICENSE PLATE

The new law clarifies the prohibition on the use of glass, plastic, or any other type of material or substance (i.e. spray) to cover a license plate. **A person operating a vehicle in violation of this section shall be subject to a \$500 fine. Under the current law, 18 DCMR §§ 422.5 and 422.6, which may still be applied after passage of the Reform Act, there is only a \$50 fine for the broad offenses of illegible or obstructed tags.**

REVISED LIABILITY FOR PHOTO RADAR FINES

PHOTO RADAR

If an owner of a motor vehicle who was issued a photo radar ticket uses the defense that the vehicle was in the care, custody or control of another person, **the owner must provide an affidavit with not only the name and address of that person, as is provided for under the old law, but also the driver's license number.** MPD may verify the name, address and driver's license number for DMV.

LEASED VEHICLES

Lessors, as owners of the vehicle, are responsible to DC Government for all parking ticket fines, and can collect them directly from their lessees. Previously, lessors could identify lessees as the liable parties. However, lessees often did not pay, leading to this change.

SALVAGE VEHICLES

Creates a reporting and title branding requirement for vehicles meeting the definition of "salvage", "flood", or "non-repairable"

Salvage vehicles must be repaired and be issued a rebuilt salvage title before they can be registered. Non-repairable vehicles cannot be registered.

The Salvage, Flood and Non-repairable Vehicle title of the Act establishes a new process in which an owner, lessor or insurance company must apply for

a Salvage Title or Non-repairable Vehicle Certificate. Titles will be branded accordingly. It also describes the manner in which an owner or lessor must transfer titles for such vehicles. Some key terms from this part of the law include:

A Salvage Vehicle Title is a title issued for any motor vehicle that has been damaged to such an extent that repair costs would constitute at least 75% of the vehicle's retail value.

A Non-repairable Vehicle Certificate is a title for any motor vehicle incapable of safe operation on the road.

A Flood Vehicle is a vehicle that has been submerged to the point that water entered the passenger or trunk compartments.

A Rebuilt Salvage Title is a title issued for any motor vehicle that has previously been issued a Salvage Title but has subsequently passed inspection.

It is punishable by a fine up to \$2,000, imprisonment for up to 180 days, or both for the following new offenses:

- To make a false statement on an application for a title or duplicate title.**
- To alter, forge or counterfeit a motor vehicle title, a Non-repairable Vehicle Certificate, or certificate verifying a safety inspection.**
- To falsify the results of, or provide false information in the course of, an inspection for a Rebuilt Salvage Title.**
- To represent a Salvage Vehicle or a Non-repairable Vehicle as a Rebuilt Salvage Vehicle.**
- To fail to notify specified parties when required:**
 - A lessee must notify a lessor within 30 days of the date of the damage.**
 - An insurance company that makes a settlement payment but does not acquire ownership in the vehicle must notify the owner or lessor of his or her obligation to obtain a Salvage Vehicle title or a Non-repairable Vehicle certificate.**
 - The insurance company must also notify the DMV.**
 - To conspire to commit any of the above.**

- **To fail to apply for a title or certificate, when required:**
 - **An owner of a Salvage Vehicle or a Non-repairable vehicle must apply for a Salvage Vehicle title or a Non-repairable vehicle certificate, whichever is applicable, before ownership is transferred and within 30 days of the vehicle being damaged.**
 - **A lessor of a Salvage Vehicle or a Non-repairable vehicle must apply for a Salvage Vehicle title or a Non-repairable vehicle certificate, whichever is applicable, before ownership is transferred and within 30 days of being notified of the vehicle's damage.**
 - **An insurance company that makes a damage settlement and acquires ownership of a Salvage Vehicle or a Non-repairable vehicle must apply for a Salvage Vehicle title or a Non-repairable vehicle certificate, whichever is applicable, within 30 days of the date the title is delivered to the insurance company.**

The Office of Attorney General will prosecute the above offenses.

VEHICLE FEES:

EXCISE TAXES

Increase in vehicle excise tax and registration fee for vehicles over 5,000 pounds:

Excise tax rate for 3,499 lbs. or less	6%
Excise tax rate for 3,500 lbs. — 4,999 lbs.	7%
Excise tax rate for 5,000 lbs. or over	8%

Expands Excise Tax exemptions to include:

Electric and clean fuel (This provision is tied to IRS deduction, and will sunset with it – currently scheduled in 2006. IRS publishes list of eligible vehicles on their website.)

Transfer of vehicle:

- **Between domestic partners (with proof from the Department of Health)**
- **Upon death of co-owner (only if title issued to surviving owner)**
- **Upon divorce or separation (with court order or decree; or written agreement signed by both parties incident to separation or divorce)**

Insurance companies in connection with insurance claim in which they take possession of the vehicle

REGISTRATION FEES:

Passenger (Class A) Vehicles

Registration fee for 3,499 lbs. or less	\$72.00
Registration fee for 3,500 lbs. — 4,999 lbs.	\$115.00
Registration fee for 5,000 lbs. or over	\$155.00
Clean Fuel or Electric Vehicle (Hybrid) registration fee	\$36.00

New Commercial (Class B) Vehicles

3,499 or less	\$125.00
3,500 lbs. — 4,999 lbs.	\$160.00
5,000 lbs. — 6,999 lbs.	\$220.00
7,000 lbs. — 9,999 lbs.	\$300.00
10,000 lbs. — greater	\$575. 00 plus \$25 per each additional 1,000 lbs. over 10,000 lbs.

New Registration Fees for Trailer (Class C) Vehicles

1,499 or less	\$50.00
1,500 lbs. — 3,999 lbs.	\$125.00
3,500 lbs. — 4,999 lbs.	\$250.00
5000 lbs. — 6,999 lbs.	\$400.00
7000 lbs. — 9,999 lbs.	\$500.00
10,000 lbs. — greater	\$500.00 plus \$50 per each additional 1,000 lbs. over 10,000 lbs.